

Claims 1 through 16 are pending in this application. Applicants acknowledge, with appreciation, the Examiner's indication that claims 3 and 16 contain allowable subject matter. Accordingly, the only remaining issues pivot about the patentability of claims 1, 2 and 4 through 15.

Claims 1, 2, 4, 5, 7, 8, 11 and 13 through 15 were rejected under 35 U.S.C. §103 for obviousness predicated upon Zhao et al. in view of Ritzdorf et al.

Claims 6 and 9 were rejected under 35 U.S.C. §103 for obviousness predicated upon Zhao et al. in view of Ritzdorf et al. and Cabral et al.

Claim 12 was rejected under 35 U.S.C. §103 for obviousness predicated upon Zhao et al. in view of Ritzdorf et al. and Islam et al.

Claim 10 was rejected under 35 U.S.C. §103 for obviousness predicated upon Zhao et al. in view of Ritzdorf et al., Cabral et al. and Islam et al.

Each of the above rejections under 35 U.S.C. §103 is traversed. Specifically, submitted herewith as Exhibit A is a declaration pursuant to 37 C.F.R. §1.131 establishing that the present invention was conceived in the United States prior to July 17, 2001, the issuance date of Zhao et al., the primary reference, and that due diligence was exercised from prior to the issue date of July 17, 2001 to the filing date of the present application on November 8, 2001. Accordingly, the reference to Zhao et al. constitutes prior art by virtue of 35 U.S.C. §102(e).

The reference to Zhao et al. and the present invention were, at the time the present invention was made, owned by Advanced Micro Devices, Inc., (AMD) or subject to an obligation of assignment to AMD, at the time the present invention was made. Accordingly,

Zhao et al. may not properly be relied upon as prior art under 35 U.S.C. §103 by virtue of 35 U.S.C. §103(c).

Absent of the primary reference to Zhao et al., each of the imposed rejections under 35 U.S.C. §103 must fall. Applicants, therefore, submit that the imposed rejections of: claims 1, 2, 4, 5, 7, 8, 11 and 13 through 15 under 35 U.S.C. §103 for obviousness predicated upon Zhao et al. in view of Ritzdorf et al.; claims 6 and 9 under 35 U.S.C. §103 for obviousness predicated upon Zhao et al. in view of Ritzdorf et al. and Cabral et al.; claim 12 under 35 U.S.C. §103 for obviousness predicted upon Zhao et al. in view of Ritzdorf et al. and Islam et al.; and claim 10 under 35 U.S.C. §103 for obviousness predicated upon Zhao et al. in view of Ritzdorf et al., Cabral et al., and Islam et al., are not factually or legally viable and, hence, solicit withdrawal thereof.

In summary, claims 3 and 16 have been indicated allowable. The imposed rejections under 35 U.S.C. §103 are not factually or legally viable because the primary reference to Zhao et al. may not be relied upon as prior art under 35 U.S.C. §103 by virtue of 35 U.S.C. §103(c). Ergo, all claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any

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excess fees to such deposit account.

Respectfully submitted,

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Date: June 18, 2003